(ii) after sub-section (3) the following sub-section shall be inserted, namely:—

"(3A) The Central Government may at any time, remove the chairman or the managing director, as the case may be, from office:

Provided that no person shall be removed from his office, under this sub-section, unless he has been given an opportunity of showing cause against his removal."

CHAPTER V

AMENDMENTS TO THE REGIONAL RURAL BANKS ACT, 1976

6. **Amendment of Act 21 of 1976.**—In the Regional Rural Banks Act, 1976, in section 11,—

(i) after sub-section (1), the following sub-section shall be inserted, namely:—

"(1A) Notwithstanding anything contained in sub-section (1), the Central Government shall have the right to terminate the term of office of the Chairman at any time before the expiry of the period specified under sub-section (1) by giving him notice of not less than three months in writing or three months' salary and allowances in lieu of such notice and the Chairman shall also have the right to relinquish his office at any time before the expiry of the period so specified by giving to the Central Government notice of not less than three months;

(ii) for sub-section (4), the following sub-section shall be substituted, namely :—

"(4) The Central Government may, at any time, remove the Chairman from office:

Provided that no person shall be removed from his office, under this sub-section, unless he has been given an opportunity of showing cause against his removal.".

Notification No. LAW 81 LCA 76.

Bangalore, dated 14th September 1976.

Ordered that the Beedi Workers Welfare Fund Act, 1976 (62 of 1976) published in Part II, Section 1 of the Gazette of India, Extraordinary dated 10th April 1976 be republished in the *Karnataka Gazette* for general information.

By Order and in the name of the Governor of Karnataka,

K. R. RAMASWAMY IYENGAR,
Assistant Draftsman and Ex-officio Deputy Secretary to Government, Dept. of Law and Parly. Affairs.

Assented to on 10th April 1976. Act No. 62 of 1976.

THE BEEDI WORKERS WELFARE FUND ACT, 1976
(AS PASSED BY THE HOUSES OF PARLIAMENT)

AN

ACT

to provide for the financing of measures to promote the welfare of person engaged in beedi establishments.

BE it enacted by Parliament in the Twenty-seventh Year of the Republic of India as follows :—

1. **Short title, extent and commencement.**—(*1*) This Act may be called the Beedi Workers Welfare Fund Act, 1976.

(*2*) It extends to the whole of India.

(*3*) It shall come into force in a State on such date, as the Central Government may, by notification in the Official Gazette, appoint and different dates may be appointed for different areas in the State and for different provisions of this Act.

2. **Definitions.**—In this Act, unless the context otherwise requires,—

(*a*) "Fund" means the Beedi Workers Welfare Fund formed under section 3;

(*b*) a person is said to be engaged in an establishment if he is engaged in that establishment, directly or through any agency, whether for wages or not, for doing any work, skilled, unskilled, manual or clerical and includes—

(*i*) any person who is given raw materials by an employer or a contractor for being made into beedi at home, and

(*ii*) any person not engaged by an employer or a contractor but working with the permission of or under agreement with, the employer or contractor;

(*c*) "prescribed" means prescribed by rules made under this Act;

(*d*) words and expressions used but not defined in this Act and defined in the Beedi and Cigar Workers (Conditions of Empoyment) Act, 1966. (32 of 1966) shall have the meanings respectively assigned to them in that Act in so far as they relate to a person engaged in beedi establishments.

3. **Beedi Workers Welfare Fund.**—There shall be formed a Fund to be called the Beedi Workers Welfare Fund and there shall be credited thereto—

(*a*) an amount which the Central Government may, after due appropriation made by Parliament by law in this behalf, provide from and out of the proceeds of cess credited under section 4 of the Beedi

Workers Welfare Cess Act, 1976, after deducting the cost of collection as determined by the Central Government under this Act;

(b) any income from investment of the amount credited under the Act referred to in clause (a) and any other moneys received by the Central Government for the purposes of this Act.

4. **Application of Fund**:—(1) The Fund shall be applied by the Central Government to meet the expenditure incurred in connection with measures and facilities which, in the opinion of that Government, are necessary or expedient to promote the welfare of persons engaged in beedi establishments; and in particular—

(a) to defray the cost of measures for the benefit of such persons directed towards—

(i) the improvement of public health and sanitation, prevention of disease and the provision and improvement of medical facilities;

(ii) the provision and improvement of water supplies and facilities for washing;

(iii) the provision and improvement of educational facilities;

(iv) the provision and improvement of housing and recreational facilities including standards of living, nutrition and amelioration of social conditions;

(v) the provision and improvement of such other welfare measures and facilities as may be prescribed;

(b) to grant loan or subsidy to a State Government, a local authority or an employer in aid of any scheme approved by the Central Government for the purpose connected with the welfare of persons engaged in beedi establishments:

(c) to pay annually Grants-in-aid to State Government, or a local authority or to an employer who provides to the satisfaction of the Central Government welfare measures and facilities of the prescribed standard for the benefit of persons engaged in beedi establishments, so however, that the amount payable as grants-in-aid to any such State Government, local authority or employer shall not exceed—

(i) the amount spent in providing welfare measures and facilities as determined by the Central Government or any person specified by it in this behalf, or

(ii) such amount as may be prescribed,

whichever is less:

Provided that no grant-in-said shall be payable in respect of any such welfare measures and facilities where the amount spent thereon determined as aforesaid is less than the amount prescribed in this behalf;

(d) to meet the allowances, if any, of the members of the Advisory Committees and the Central Advisory Committee consti

tuted under sections 5 and 6 respectively and the salaries and allowances, if any, of persons appointed under section 8 ;

(e) any other expenditure which the Central Government may direct to be defrayed from the Fund.

(2) The Central Government shall have power to decide whether any particular expend ture is or is not debitable to the Fund and its decision shall be final.

5. **Advisory Committees** :—(1) The Central Government may constitute as many Advisory Committees as it thinks fit but not exceeding one for each of the principal beedi producing States, to advise the Central Government on such matters arising out of the administration of this Act as may be referred to it by that Government, including matters relating to the application of the Fund.

(2) Each Advisory Committee shall consist of such number of persons as may be appointed to it by the Central Government and the members shall be chosen in such manner as may be prescribed :

Provided that each Advisory Committee shall include an equal number of members representing Government, the employers and persons engaged in beedi establishments and that at least one member of such Committee shall be a woman.

(3) The Chairman of each Advisory Committee shall be appointed by the Central Government.

(4) The Central Government shall publish in the Official Gazette the names of all members of every Advisory Committee.

6. **Central Advisory Committee** :—(1) The Central Government may constitute a Central Advisory Committee to co-ordinate the work of the Advisory Committees constituted under section 5 and to advise the Central Government on any matter arising out of the administration of this Act.

(2) The Central Advisory Committee shall consist of such number of persons as may be appointed to it by the Central Government and the members shall be chosen in such manner as may be prescribed :

Provided that the Central Advisory Committee shall include an equal number of members representing the Government, the employers and persons engaged in beedi establishments and that at least one member of such Committee shall be a woman.

(3) The Chairman of the Central Advisory Committee shall be appointed by the Central Government.

(4) The Central Government shall publish in the Official Gazette the names of all members of the Central Advisory Committee.

7. **Power to co-opt**.—(1) An Advisory Committee or the Central Advisory Committee may, at any time and for such period as it think fit, co-opt any person or persons to the Advisory Committee.

(2) A person co-opted under sub-section (1) shall exercise all the powers and functions of a member under this Act but shall not be entitled to vote.

(3) The Advisory Committee or the Central Advisory Committee may, if it considers it necessary or expedient so to do, invite any person to attend its meeting and when such person attends any meeting, he shall not be entitled to vote there at.

8. **Appointment of Welfare Commissioners, etc., and their powers.**– (1) The Central Government may appoint as many Welfare Commissioners, Welfare Administrators, Inspectors and such other officers and staff as it thinks necessary for the purposes of this Act and the Beedi Workers Welrare Cess Act, 1976.

(2) The Central Government may, by general or special order, direct a Welfare Commissioner to appoint such staff as is considered necessary for the purposes of this Act and the Beedi Workers Welfare Cess Act, 1976,

(3) Every person appointed under this section shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code. (45 of 1860).

(4) Any Welfare Commissioner, Welfare Administrator or Inspector may,—

(*a*) with such assistance, if any, as he may think fit, enter at any reasonable time, any place which he considers it necessary to enter for carrying out the purposes of this Act;

(*b*) do within such place anything necessary for the proper discharge of his duties; and

(*c*) exercise such other powers as may be prescribed.

9. **Power of Central Government to exempt.**—Notwithstanding anything contained in this Act, if the Central Government is satisfied that there is in force in any State or part thereof a law making adequate provision for the financing of activities to promote the welfare of persons engaged in beedi establishments, it may, by notification in the Official Gazette, direct that all or any of the provisions of this Act shall not apply or shall apply to such State or part thereof subject to such exemptions and modification as may be specified in the notification.

10. **Annual report of activities financed under the Act.**—The Central Government shall, as soon as may be, after the end of each financial year, cause to be published in the Official Gazette, a report giving an account of its activities financed under this Act during the previous financial year together with a statement of accounts.

11. **Power to call for information.**—The Central Government may require a State Government or a local authority or any employer

to furnish, for the purposes of this Act, such statistical and other information in such form and within such period as may be prescribed.

12. **Power to make rules.**—(*1*) The Central Government may, by notification in the Official Gazette, and subject to the condition of previous publication, make rules for carrying out the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for—

(*a*) the manner in which the Fund may be applied for the measures and facilities specified in sub section (*1*) of section 4;

(*b*) the conditions governing the grant of loan or subsidy under clause (*b*) of sub-section (*1*) of scetion 4;

(*c*) the conditions governing grant-in-aid under clause (c) of sub-section (*1*) of section 4;

(*d*) the standard of welfare measures and facilities to be provided under clause (c) of sub-section (*1*) of scetion 4;

(*e*) the determination of the amounts referred to in sub-clause (*ii*) of clause (c) of sub-section (*1*) of section 4 and the proviso to that clause;

(*f*) the composition of the Advisory Committees and the Central Advisory Committee constituted under sections 5 and 6 respectively, the manner in which the members, thereof shall be chosen, the term of office of such members the all wances, if any, payable to them, and the manner in which the Advisory Committees and the Central Advisory Committee shall conduct their business;

(*g*) the recruitment, conditions of service and the duties of all persons appointed under section 8 ;

(*h*) the power that may be exercised by a Welfare Commissioner, a Welfare Administrator or an inspector under section 8 ;

(*i*) the furnishing to the Central Government by a State Government or a local authority or an employer of such statistical and other information as may be required to be furnished under section 11;

(j) the forms in which and the period within which statistical and other information are to be furnished under clause (i) '

(k) any other matter which has to be or may be prescribed, or provided for, by rules under this Act.

(3) In making any rule under clause (*i*) or clause (*j*) of sub-section (*2*), the Central Government may direct that a breach thereof shall be punishable with fine which may extend to five hundred rupees.

(4) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions and if, before the expiry of the session immediately following the session

or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Notification No. LAW 80 LCA 1976

Bangalore, dated 14th September 1976.

Ordered that the Iron Ore Mines and Manganese Ore Mines Labour Welfare Fund Act, 1976 (61 of 1976) published in Part II, Section 1 of the Gazette of India, Extraordinary dated 10th April 1976 bo republished in the *Karnataka Gazette*, for general information.

By Order and in the name of the Governor of Karnataka,

K. R. RAMASWAMY IYENGAR,
Assistant Draftsman and Ex-officio,
Deputy Secy. to Govt.,
61 *Department of Law and Parliamentary Affairs.*

Assented to on 10th April 1976, Act No. 61 of 1976.

THE IRON ORE MINES AND MANGANESE ORE MINES LABOUR WELFARE FUND ACT, 1976

(AS PASSED BY THE HOUSES OF PARLIAMENT)

AN

ACT

to provide for the financing of activities to promote the welfare of persons employed in the iron ore mines and manganese ore mines.

BE it enacted by Parliament in the Twenty-seventh Year of the epublic of India as follows :—

1. Short title, extent and commencement.—(1) This Act may be called the Iron Ore Mines and Manganese Ore Mines Labour Welfare Fund Act, 1976.

(2) It extends to the whole of India.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint, and different dates may be appointed for different States :

Provided that the Central Government may, by notification in the Official Gazette, apply in the first instance the provisions of this Act, only to iron ore mines, or only to manganese ore mines, in a State with effect from such date as may be specified in the notification